

Amendments to the Drawings:

The attached sheets of drawings include changes to Fig. 2, Fig. 8 and Fig. 22. Fig. 2 has been amended to remove reference numerals 102 and 510. Fig. 8 has been amended to add references to neighboring albums 538. Fig. 22 has been amended to change reference numeral 1400 to 1900.

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1, 4, 5, 10, 13-21 and 23-33 are currently pending. Claims 1, 10, 16, 21 and 25 have been amended. Claims 22 and 34-46 have been cancelled.

Applicants note with appreciation that the claim for priority and Information Disclosure Statements have been considered and made of record.

In paragraph number 4 of the Official Action, the drawings stand objected to as allegedly failing to comply with 37 C.F.R. § 1.84. Submitted herewith is a replacement sheet of Figure 2 wherein reference numerals 102 and 510 have been deleted from Figure 2. Additionally, the specification has been amended to insert reference numeral 514. Accordingly, reconsideration and withdrawal of the objections to the drawings in paragraph number 4 of the Official Action are respectfully requested.

In paragraph number 5 of the Official Action, the drawings are objected to as failing to comply with 37 C.F.R. § 1.84. Accordingly, Figure 8 has been amended to include references to the neighboring albums 538. Additionally, Figure 22 has been amended to correctly refer to reference numeral "1900" instead of "1400". Accordingly, reconsideration and withdrawal of these objections are respectfully requested.

In paragraph number 6, the disclosure stands objected to due to several informalities. By way of the foregoing amendments, the specification has been amended to correct these informalities.

Claims 16, 25 and 37 stand objected to due to several informalities in paragraph number 7 of the Official Action. By way of the foregoing amendments, claim 16 has been amended so that it is no longer a duplicate of claim 15, claim 25 has been amended to depend upon claim 21 and claim 37 has been cancelled. Accordingly, reconsideration and withdrawal of these objections are respectfully requested.

In paragraph number 9 of the Official Action, claims 10 and 13-20 stand rejected

under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter set forth therein. More specifically, the Examiner has correctly identified an antecedent basis issue with regard to claim 10 which has promulgated through dependent claims 13-20. Accordingly, claim 10 has been amended such that the second recitation of the phrase "a graphical user interface" now reads "said graphical user interface". Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 1, 4, 5, 10, 13-27, 29, 30, 32-35, 38-40 and 42-46 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Daily et al. (U.S. Patent Publication No. 2004/0123320). Prior to discussing this ground of rejection in detail, a brief summary of exemplary embodiments are described below in order to highlight some of the advantageous characteristics thereof.

Exemplary embodiments provide control frameworks for organizing, selecting and launching media items. These control frameworks may be responsible for handling a very large number of such media items, e.g., thousands of movie choices or more. In order to facilitate navigation by a user through the, e.g., thousands of choices, exemplary embodiments provide a number of techniques to enhance the user experience. For example, visual directories of images provide a user with a great deal of information very quickly, and using relatively little user interface "real estate", to facilitate choice selection. Additionally, panning and zooming animations, among other things, provide a user with a sense of position within a large interface space. Another technique which is intended to provide a user with a greater sense of location within the interface as he or she changes between different semantic levels is a transition effect which provides both the sense of movement and a sense of continuity.

For example, this effect can be seen in Figures 19 and 20 of the application as filed and the corresponding text. In Figure 19, the image which currently has the focus in the user interface is slightly enlarged and overlaps other images in the interface, i.e., the image associated with the DVD cover art for the movie "Apollo 13". When the user

then selects this image, e.g., by double-clicking on it, he or she is transitioned to, for example, the interface screen illustrated as Figure 20. This screen provides more detail associated with the selected movie "Apollo 13".

However, in transitioning between the two screens shown as Figures 19 and 20 an anchor image, e.g., the DVD cover image for Apollo 13, simultaneously changes its size and is translated across the display. For example, in the context of Figures 19 and 20 one can see that the anchor image "Apollo 13" in the semantic view of Figure 19 is initially in the upper middle portion of the display. However, after clicking on this image, it shrinks and translates into the upper left hand corner of the display as shown in Figure 20, along with an animated transition effect which provides the impression of movement of the Apollo 13 image from its initial location in Figure 19 to its location shown in Figure 20.

This type of exemplary transition effect provides the user with the greater geographic sense of location within the user interface. This sense of relationship is important where, for example, a user may be interacting with hundreds or thousands of images associated with selectable media items because it provides a mechanism for a user to intuitively navigate the interface.

Turning now to the amended independent claims, this feature can be seen, in combination with the other claimed features, in the "means for transitioning..." in claims 1 and 10 and the "software code which operates to..." of claim 21 as amended. It is respectfully submitted that this feature is nowhere taught or suggested, in combination with the other features of the independent claims, in the cited Daily patent publication.

The independent claims 1, 10 and 21 are also respectfully submitted to be patentably distinguishable from Daily for other reasons. For example, with respect to all three of these claims, Daily does not teach or suggest a 3D pointer or pointing device **which generates a cursor on a display screen, the position of which is based on movement of the 3D pointer or pointing device**. In this regard, it is noted that the Official Action draws a correlation between the gesture recognition device of Daily and

the claimed 3D pointer or pointing device. However, it is respectfully submitted that the gesture recognition device of Daily is not described as a mechanism for controlling the position of a cursor on a display screen.

Another difference between claim 10 and the Daily patent publication is that claim 10 recites, among other features, "means for detecting when a position indicated on the screen by the input device is stationary for a predetermined period of time and to display additional images and/or text on the screen in response thereto." Although Daily does describe a preselection feature in paragraph [0059], it is respectfully submitted that this preliminary selection feature does not involve a detection of the input device as being stationary for a predetermined period of time. Similarly, with respect to independent claim 21, the preselection mechanism of Daily does not alter the display of media content after the cursor hovers over a portion of the display screen for a predetermined period of time.

Accordingly, reconsideration and withdrawal of the rejection of the claims as being anticipated under 35 U.S.C. § 102(e) by Daily are respectfully requested.

Claim 28 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Daily in view of Butler (U.S. Patent No. 6,154,199). It is respectfully submitted that claim 28 is allowable for at least the reasons set forth above with respect to claim 21 from which it depends. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

All of the objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that this application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions regarding this response or the application in general, he is invited to contact the undersigned at (540) 361-1863.

Respectfully submitted,

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